

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO: 20014-AG20-1124-209

IN THE MATTER OF:)
)
Adam Michael Sutton)
2841 East Dupont Road, Ste. B,)
Fort Wayne, IN 46825)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License Number: 712096)

FILED

MAR 04 2021

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance ("Department"), pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.*, and Indiana Code § 27-1-15.6-12, hereby gives notice to Adam Michael Sutton ("Respondent") of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 712096 ("Respondent's license") since August 19, 2010.
2. Respondent's license expired on November 30, 2020.
3. Respondent submitted an application to renew his resident producer's license on November 30, 2020.
4. On or around July 15, 2020, there was a civil action filed in United States District Court for the District of South Carolina Greenville Division against Respondent for participating in a Ponzi scheme.

5. The Ponzi scheme involved targeting veterans and other individuals who were in high debt and high credit risk, who were allegedly targeted by a Mr. Scott A. Kohn and Future Income Payments, LLC for cash advances and were solicited and persuaded to sell their future monthly pension streams for an amount that was far less than their value, essentially equating to a predatory lending practice.
6. On or around October 23, 2020, Respondent signed a Confession of Judgment, wherein, Respondent stated “[t]he undersigned [Respondent] does hereby confess judgment in favor of Beattie B. Ashmore, Receiver Kohn-FIP (“Receiver”) (the plaintiff in the federal civil lawsuit) in the amount of \$72,657.27... said amount being a just and true debt of the undersigned Adam Sutton and Cornerstone Financial Partners, LLC to the Receiver, arising out of the Sutton and Cornerstone’s obligations and participation as sales agents in the criminal Ponzi scheme...”
7. On October 28, 2020, Respondent entered into a Release, Receipt And Settlement Agreement with the Receiver, which stated that Respondent was to pay a settlement amount in the sum of fifty-eight thousand one hundred forty dollars (\$58,140.00). Failure to comply with the payment plan of the settlement amount would result in paying the full amount of seventy-two thousand six hundred seventy-five dollars and twenty-seven cents (\$72,675.27).
8. Indiana Code § 27-1-15.6-12(b)(7) states, in part, that the Commissioner may refuse to renew an insurance producer’s license for admitting to have committed or being found to have committed any unfair trade practice or fraud in the business of insurance.
9. Indiana Code § 27-1-15.6-12(b)(8) states, in part, that the Commissioner may refuse to renew an insurance producer license for using fraudulent, coercive, or dishonest

practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.

10. Indiana Code § 27-1-15.6-12(d) provides that when the Commissioner refuses to renew a license, the Commissioner shall notify the Respondent, in writing, of the reasons for the nonrenewal. This Order serves as that notice.
11. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty-three (63) days of the mailing of this Order, make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.
12. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **Respondent's license shall not be renewed** due Respondent's involvement in a Ponzi scheme.

3-4-2021

Date Signed



Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution:

Adam Michael Sutton
2841 East Dupont Road
Suite B
Fort Wayne, IN 46825

Victoria Hastings, Attorney
ATTN: Taylor Peycha, Jr. Investigator
Indiana Department of Insurance
311 W Washington St., Suite 103
Indianapolis, IN 46204-2787